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**HOUSE BILL 546**

**46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003**

**INTRODUCED BY**

Bengie Regensberg

**AN ACT**

**RELATING TO HUNTING LICENSES; CHANGING PERCENTAGE OF LICENSES  
AVAILABLE TO NONRESIDENTS IN A SPECIAL DRAWING.**

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:**

Section 1. Section 17-3-16 NMSA 1978 (being Laws 1964  
(1st. S.S.), Chapter 17, Section 7, as amended) is amended to  
read:

"17-3-16. FUNDS--SPECIAL DRAWINGS FOR LICENSES. --

A. The director of the department of game and fish  
may provide special envelopes and application blanks when a  
special drawing is to be held to determine the persons to  
receive licenses. Money required to be submitted with these  
applications, if enclosed in the special envelopes, need not be  
deposited with the state treasurer but may be held by the  
director until the successful applicants are determined. At

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1 that time, the fees of the successful applicants shall be  
2 deposited with the state treasurer and the fees submitted by  
3 the unsuccessful applicants shall be returned to them.

4 B. Beginning with the licenses issued from a  
5 special drawing for a hunt code on public lands that commences  
6 on or after April 1, 1997:

7 (1) [~~twenty-two~~] fifteen percent of the  
8 licenses shall be issued to nonresidents divided as follows:

9 (a) [~~twelve~~] ten percent of the licenses  
10 to be drawn by nonresidents who will be guided by a New Mexico  
11 outfitter or guide; and

12 (b) [~~ten~~] five percent of the licenses  
13 to be drawn by nonresidents who are not required to be guided  
14 by a New Mexico outfitter or guide; and

15 (2) [~~seventy-eight~~] eighty-five percent of the  
16 licenses shall be issued to residents of New Mexico.

17 C. If the number of nonresidents or residents who  
18 apply for licenses pursuant to the provisions of Paragraphs (1)  
19 and (2) of Subsection B of this section does not constitute the  
20 allocated percentages for either category of nonresidents or  
21 residents, then the additional licenses available shall be  
22 granted to the other category of nonresidents or residents.

23 D. If the determination of the percentages in  
24 Subsection B of this section yields a fraction of:

25 (1) five-tenths or greater, the number of  
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1 licenses to be issued shall be rounded up to the next whole  
2 number; and

3 (2) less than five-tenths, the number of  
4 licenses shall be rounded down to the next whole number.

5 E. The fee for a nonresident license for a special  
6 drawing in a high-demand hunt covered in Subsection B of this  
7 section shall be assessed at the same rate as a license for  
8 nonresident quality elk or quality deer. As used in this  
9 subsection, "high-demand hunt" means:

10 (1) a hunt where the total number of  
11 nonresident applicants for a hunt code in each unit exceeds  
12 [~~twenty-two~~] fifteen percent of the total applicants and where  
13 the total applicants for a hunt exceeds the number of licenses  
14 available based on application data indicating that this  
15 criteria occurred in each of the two immediately preceding  
16 years; or

17 (2) an additional hunt code designated by the  
18 department of game and fish as a quality hunt."

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